(d) if so, whether steps will be taken to fill the seats considering the marks received in the qualifying examination and the entrance examination as parameters; and

(e) if not, the reasons therefor?

THE MINISTER OF HEALTH AND FAMILY WELFARE (DR. ANBUMANI RAMDOSS): (a) to (e) A Statement is laid on the Table of the House.

Statement

In the Medical Council of India, Graduate Medical Education Regulations 1997, as approved by the Central Government, relaxation has been provided in criteria for admission to MBBS course, in respect of SC/ST students. While 50% of marks have been prescribed for General category candidates for qualifying examination as well as entrance examination, it is 40% of marks for candidates belonging to SC/ST categories.

The MBBS seats are filled up under two categories namely "All India Quota" and "State Quota". Under All India quota, 15% MBBS seats of the State are contributed by the respective State Government. In so far as admission of SC and ST students in the All India quota is concerned, reservation at the rate of 15% and 7-1/2% respectively has been introduced from the academic year 2008-09. As per information available for the academic year 2008-09, against 329 total seats for SC students, there was no shortfall. As regard ST students, against 164 total seats for ST students, 111 ST candidates were allotted. Thus, there has been some shortfall of ST candidates.

With regard to State Quota for the remaining 85% seats, the admission process is conducted by the respective State Government. As such the Central Government does not maintain any data in the matter. While the State Governments have not pointed out any problem of shortage of filling up of SC/ST MBBS seats in the State, in the recent past the Government of Kerala informed the Central Government that ST candidates of their State are not able to qualify in the entrance examination for getting admission against the reserved seats due to the above mentioned MCI norms. In the meanwhile, a Civil Writ Petition No. 393/2008 - Vineeth K. and others *versus* State of Kerala and others - has also been filed in the Hon'ble Supreme Court challenging the criteria of 40% marks for ST/SC students. The Hon'ble Court taking a note of the shortfall, has issued notices to Union of India and eight other States *viz.* Jharkhand, Maharashtra, Gujarat, Orissa, West Bengal, U.P., M.P. and Karnataka. The matter is *sub-judice.*

SHRI A. VIJAYARAGHAVAN: Sir, it is a very important issue pertaining to Scheduled Caste and Scheduled Tribe students in our country. Sir, because of the commercialisation of education, the poor students are not in a position to get admission in the professional courses. Naturally, now, there are eligibility tests or examinations. In these competitive examinations, priority is given only to those who are hailing from the cities and those who are hailing from rich families. So, naturally, Scheduled Tribe and Scheduled Caste students are not getting their proper share. Here, the point is that in order to give them the proper right to be educated in the medical education, they must get some relaxation from the side of the Government. Now, there is concrete experience that they are not able to succeed in the competitive examination or the entrance test. Naturally, weightage of the qualifying

examination should be considered for their admission. Even those who are getting 90 per cent marks in the qualifying examinations - that is, +2 examinations – are not getting admission. This is a pertinent issue. So, there should be a policy from the side of the Government. Will the Government come out with a policy with regard to the Scheduled Tribe and the Scheduled Caste students in which for eligibility, +2 marks will be considered? That is my pinpointed question.

DR. ANBUMANI RAMADOSS: Sir, prior to 1997, there was one qualifying mark of 50 per cent for all categories – general, Scheduled Caste and Scheduled Tribe. And, then, since lot of representations were brought forth that lot of SC/ST students were not getting admissions into these institutions, the qualifying mark was reduced to 40 per cent for SC/ST students in 1997 by an amendment to MCI regulations. Since then, this had been the norm. Recently, the Government of Kerala had brought forth an issue stating that the ST students in Kerala were not qualifying even that 40 per cent mark because we have criteria of qualifying 40 per cent for both the qualifying examination plus entrance examination. The MCI says in a multi-board system in the States where they have different types of boards of education, there had to be both the entrance exam and the qualification exam. This case has been brought to our notice. A case has been filed in the Supreme Court on this and the matter is *sub judice*. Nevertheless, it is a good suggestion put forth by the hon. Member that we could take up both consolidated marks of the qualifying examination and the entrance examination. It is a good suggestion. We will consider these suggestions and, in fact, in our affidavit before the court we will put it so that it will be further deliberated. The State of Tamil Nadu had passed a legislation in the State Assembly dispensing with the entrance examination altogether and making only the qualifying examination as part of the qualification for all students, not only for the SC and the ST students but also for all students cutting across the Board. Again, in this there was a litigation in the Supreme Court which upheld the decision of Tamil Nadu in respect of not only the SC and ST students but also for all the students. So, even this suggestion could be taken up by the Government of Kerala and, in fact, we have also supported the decision of the Tamil Nadu Government.

SHRI A. VIJAYARAGHAVAN: Sir, my second supplementary relates to the backlog which we are facing now. The problem with regard to the SCs and the STs is that even after we are providing this support, the reality is that they are not being benefited by this social support. With regard to the provisions for reservations at the higher level, they are not getting their proper share. For example, in most of the universities there is no Scheduled Castes professor. Out of the 19 Central Universities, in 17 Universities there are no SC professors. As far as their share with regard to lecture, etc., is concerned, there is a backlog of 471. So, this is the situation. In medical education, we have a total of 31,172 seats. Out of that 22.5 per cent should be given to the SC and ST students. Now, the problem is that every year, in most of the universities, there is a backlog. So, there should be a permanent mechanism to verify whether they are getting their proper share. I would like to know from the hon. Minister whether the Government will contemplate a proposal whereby a national level monitoring system would be set up for examining the anomalies with regard to the admission of SC and ST students in medical education. It is a very urgent thing. I hope to have a positive reply from the side of the Government.

DR. ANBUMANI RAMDOSS: Sir, there are two systems of admission. One is the all-India quota and the other is the State Quota. The all-India quota is based on 15 per cent seats from all the States except Andhra Pradesh and Jammu Kashmir to be given to the Central Government in a pool. The Central Government, after conducting the all India entrance examination, distributes the seats of all-India quota to different States under the 15 per cent State quota. Now, we follow all the reservations policy of the Government, the 22.5 per cent and the OBC quota, that is, 27 per cent from this year onwards. But in the case of the State Government quota, 85 per cent of the State quota, some of the States have their own policies of reservation and exams. It is up to the States and we can't interfere with the functioning of the State Government on that line. Nevertheless, the suggestions put forward by the hon. Member are well taken. We will examine – but I will not be able to give an assurance – them and see to it how this could be done. ...*(Interruptions)*... I am definitely with you. Sir, I am with the hon. Member and we will definitely examine them.

SHRI D. RAJA: Sir, it is very much distressing to note that the discriminations and atrocities against the SC and the ST students are on the increase in many institutions of higher learning, including the All India Institute of Medical Sciences and NTs. The whole country witnessed the agitation against reservation in the All India Institute of Medical Sciences. In the midst of it, it was shocking to witness the atrocities and inhuman treatment of the SC and the ST students in the All India Institute of Medical Sciences. The Government rightly appointed a committee under Mr. Thorat, who is the UGC Chairman today. The Committee has submitted its Report. My question is: What is the action taken by the Government on that Report? I will be grateful to the hon. Minister if he could enlighten us on this issue and explain the steps that the Government is taking to contain the atrocities against the SC and the ST students in institutions like the All India Medical Sciences as well as in other institutions of higher learning.

DR. ANBUMANI RAMDOSS: Mr. Chairman, Sir, the All India Institute of Medical Sciences is the most premier medical institution in the country, doing good service and research. But, unfortunately, in the last few years, I have been getting a number of complaints from the SC and ST students and deprived sections of the society. Not only myself, the hon. Prime Minister also has got some complaints and a lot of Members of Parliament have got some complaints about discrimination against and harassment of SC and ST students in this Institution, who are studying different courses. There are complaints about discrimination in eating places, in hostels, in play areas and in exams. A lot of complaints were coming and I had to periodically listen to them and take care of their grievances. Then a communique from the PMO had also come on this issue. Finally, after examining all these complaints, we have set up a Committee under Prof. Thorat, who is the Chairman, UGC to look into all these complaints and to give us very positive recommendations as to how the situation could be tackled. Understandably, Sir, at that point of time, it was a difficult situation in the administration of AIIMS. The situation of SC and ST students corroborated with that situation as well. Today the situation is much better. The Thorat Committee has given its recommendations which were adopted by the Institute Body, which is the highest body of AIIMS. A Committee has gone into the recommendations. Some of the recommendations are being enforced. There are good recommendations, not only for AIIMS but other institutions of the country as well. The Health Ministry

would like to take up this positive set of recommendations of the Thorat Committee. This is on the positive side not to go on harassing anybody, who is the motivator also. And it should also be taken into consideration that there has to be a good situation there in that Institute, a viable situation where everybody should coexist and has a brotherly and sisterly affection. That sort of a situation has to be imbibed in that, not by carrot and stick policy, but by taking everything into consideration. That is what we want to do.

SHRI PRAVEEN RASHTRAPAL : The main question here is, the House is also aware, whether it is AIIMS, MCI or IIT in Delhi, victimisation of Scheduled Caste and Scheduled Tribe students continue. Let it go on record that in spite of the best efforts of the Health Ministry, he was not able to take action against the then Director of AIIMS because that Director was getting shelter from another bureaucrat in another Ministry, where he was helpless. My question is this. It should be made public by the hon. Minister that reservation of SC and ST is there only in admission in higher faculty. So, that quota should go to SC and ST. Now for the highest exam of IAS, IPS and IRS the requirement of the Union Public Service Commission is only graduation. Then why should there be qualifying marks for, admission? This 15 per cent quota should be given to the Scheduled Caste and the Scheduled Tribe should be given 8 per cent. But it is misunderstood that the Scheduled Castes are given admission without merit. This is one thing which should be made very clear. One more thing I would like to know from the hon. Minister. Who is the Chairman of the MCI, at present? Is he elected democratically? Is the MCI taking decision on the basis of a Board or a corporate body? Or is that the Chairman is all powerful and even the Minister is not able to change the decision of the MCI?

DR. ANBUMANI RAMDOSS: Mr. Chairman, Sir, I will come to the second part later. The first part of the question is about admissions and qualifying criteria for SC and ST students. Under one of the recommendations of the Thorat Committee, students have to be given training and coaching and a lot of other facilities so that they can compete. It is not just a question of competing. Today we have seen that in the All India Institute of Medical Sciences, SCs, STs and OBCs are topping a lot of exams. And they are coming out very very successful. In fact, in some of the Departments, they are in No.1 position. So, it is not as if the SC and ST students are lower in rank. But I am not comparing anything, nor do I want to go into the issues. Definitely, the Government is aware of the situation, and we are trying our best to rectify that, and keep them on parity, equality and social inclusiveness, all of which have been enshrined in our Constitution. We are upholding the values of our Constitution.

Coming to the second part of the supplementary about the Medical Council, Dr. Keshavan Kutty Nair is the acting President of the Medical Council of India. We had a lot of problems at the Medical Council. In fact, the Court had to intervene, and there were some issues going on. The Government is also considering bringing in an Amendment to the MCI Act. The Prime Minister has also initiated that Amendment, and the process is going on. So, we are considering that.

SHRI MANOHAR JOSHI: Sir, at the end of his reply, the hon. Minister said that this matter is *sub judice*. Therefore, I would like to know what the contents of the case are. Also, I am generally happy

with the reply given by the hon. Minister. But my supplementary is this: What is the stand that the Government is going to take in the matter before the Supreme Court so that the Schedule Caste students are not affected.

DR. ANBUMANI RAMADOSS: Sir, the case is in the Supreme Court. Earlier, the Government had taken a stand saying that where there was more than one Board, and the State Government desired to do away with the entrance examination, the following procedures could be followed: (i) Allocation of seats on pro-rata basis; (ii) Adopting the percentile system followed in the UPSC and State Public Service Examinations for the purpose of uniform evaluation; and (iii) any other fair and equitable manner. And this is also there in the affidavit which we have given. Then we will be giving examples of the Tamil Nadu Government, which has brought in legislation in the Legislative Assembly, and they have done away with the entrance examination. The Supreme Court has also upheld this decision. If you ask for my personal view – it is not the view of the Department, but my personal view – I am for doing away with the entrance examination. That is harassment of the students that after working all these years and going in for a qualifying examination, they also have an entrance examination. The affluent students, who have the money, go to coaching centres for these entrance examinations. There is a huge racket going on in these coaching centres, and they are making a lot of money. It is only meant for affluent people. The poor and rural students cannot afford it. Personally, my view is that we have a very strict qualifying examination. Take the marks of the qualifying examination, and go through all the procedures. Nevertheless, this should be a collective view. The Government has not taken any view on that. We will be putting forth all these views, including the views of the hon. Member, before the Supreme Court; it is a good suggestion that we have to club the marks of the entrance examination and the qualifying examination, that it could be considered on 60-40 or 50-50 basis. That will also be put before the Supreme Court.

Ship breaking at Alang

*263.SHRIMATI JAYA BACHCHAN: Will the Minister of STEEL be pleased to state:

(a) whether it is a fact that a ship 'SS Oceanic' carrying 250 tonnes of asbestos, a toxic material, was headed for Alang in Saurashtra coast;

(b) whether it is a fact that Alang Ship Breaking Yard has earned infamy because of its poor handling of toxic waste from dismantled ships; and

(c) if so, the steps Government has taken on both the counts?

THE MINISTER OF CHEMICALS AND FERTILISERS AND THE MINISTER OF STEEL (SHRI RAM VILAS PASWAN): (a) to (c) A Statement is laid on the Table of the House.

Statement

(a) The concerned agencies have reported that they have no information about the possible arrival of the ship 'SS Oceanic' at Alang on the Saurashtra coast.

(b) and (c) A series of measures have been taken for attenuating the hazards of ship breaking and for improving the working conditions at shipbreaking yards at Alang. The Hon'ble Supreme Court of India has also issued comprehensive directives in this matter. Consequently, detailed protocols